## UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

In Re: Stephen W Schmitt : Case No: 17-50638

Karen K Schmitt

Debtor(s) : Chapter 13 Judge: C KATHRYN PRESTON

341 Meeting 3/15/17

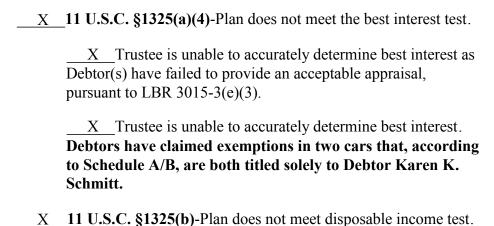
## **CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION**

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

		_	filed in this case by the Trustee.	
Above me	dian income_	<u>X</u>	Below median income	
X Chapter	_	` / ` /	does not comply with all provisions of oplicable provisions of Title 11:	
		tee is unable to a vidend to unsec	ccurately determine length. Plan does not ured creditors.	
	Clarification required as to whether any of the debts disclosed as owed to the State of Ohio on Schedule D are entitled to priority status.  Clarification of value of 2013 Ford Focus required as value differs between plan and Schedule D.			
		Clarification of amounts of liens owed to State of Ohio and LVNV Funding required as amounts differ between plan and Schedule D.		
	Amount of pre-petition mortgage arrearage not disclosed in plan.			
	financial affa other filing r	airs, schedules in requirements, pur d their most rec	ile a complete list of creditors, statement of cluding current income and expenses, or suant to 11 U.S.C. § 521. <b>Debtors have</b> ent tax returns or 60 days of pay advices	
	above or be disclose any 122-C disclo	low median inco y self-employment oses alimony and y 341 testimony,	le to determine whether Debtors are ome as Debtors' Form 122-C does not nts income. Additionally, Debtors' d maintenance income of \$1,600.00 per neither Debtor receives alimony or	

To verify that Debtors' Chapter 13 Plan satisfies the liquidation analysis of 11 USC 1325(a)(4), the feasibility requirement of 11 USC 1325(a)(6), and the disposable income requirement of 11 USC 1325(b), the Trustee requests the following documentation:

- -Statement of gross business income along with ordinary and reasonable business expenses for any business entity being operated by Debtor Stephen Schmitt.
- -12 month profit and loss statement for each of business being operated by Debtor Stephen Schmitt.
- -List of assets and liabilities for any business being operated by Debtor Stephen Schmitt.
- -12 months of business bank statements for any business being operated by Debtor Stephen Schmitt, with any business expenses identified.
- -12 months of personal bank statements with any business expenses identified.
- -Two years of personal and business tax returns (or business related schedules if separate business tax returns not filed).



X 11 U.S.C. Section 1326(a)(1)-Debtor(s) have failed to tender the following pre-confirmation payments not later than 30 days from the filing of the plan or petition (whichever is earlier): Debtors are \$1,012 delinquent in funding of their first plan payment which came due on March 8, 2017.

Schedule I does not disclose income received by Debtor Karen

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for April 06, 2017, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

Schmitt from Consumer Choice Marketing.

## TERMS OF THE PLAN:

**Plan Payments: \$2,025.00** 

Best Interest Dividend: 0% Dividend: 0%

Length: 0 Months

Dated: March 22, 2017 Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085

(614) 436-6700 trustee@ch13.org

## CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: March 22, 2017 /s/ Frank M. Pees

Frank M. Pees Chapter 13 Trustee 130 East Wilson Bridge Road #200 Worthington, Ohio 43085-6300